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SUBJECT: KOSOVO: TIME FOR A GUT-CHECK

REF: USUN 442

Classified By: Ambassador Zalmay Khalilzad for reasons 1.4 b/d.

11. (C) SUMMARY. A P-3 meeting on Kosovo today found the UK and French United Nations missions without clear guidance from London and Paris about next steps in the face of resolute Russian opposition to the Ahtisaari settlement proposal. Both thought the recent Quint political directors meeting had produced a clear mandate for continued Quint engagement with the Russians in New York, but differed about Quint preferences on a Plan B should the Russians fail to engage. The UK thought the latest U.S. draft resolution gave too much to the Russians in failing to call for full implementation of the Ahtisaari proposal on a sunrise basis, whereas the French thought we should have been more accommodating to Russian calls for more time for UN-facilitated negotiation. Both agreed to report to us overnight reaction to the draft from capitals. In a later meeting, Russian PermRep Churkin also agreed to discuss the new text with his capital. He added, however, that his instructions to date have been that Moscow cannot accept the previous draft's qualified automaticity of Kosovo independence and that he sees no significant change in the new draft in that regard. Ambassador Khalilzad replied that USG instructions against acceptance of an open-ended process have been equally clear, but urged Churkin to engage nevertheless before the situation headed out of control. Post sees the afterglow of the Security Council's trip to Kosovo quickly evaporating and the Russians increasingly sensing that the EU lacks the stomach for a major confrontation. END SUMMARY.

12. (SBU) Ambassador Khalilzad chaired a June 13 meeting of the P-3 to solicit British and French reactions to a new USG discussion-draft resolution calling for a last effort at Belgrade-Pristina negotiation followed by supervised independence unless the Security Council expressly decides otherwise. UKUN was represented by PermRep Emir Jones Parry, DPR Karen Pierce, Political Coordinator Paul Johnston, and Political Officer Ann Thompson. France was represented by PermRep Jean-Marc de La Sabliere and Political Officer Benoit Guidee. Ambassador Wolff and Deputy Political Counselor also participated for the USG. Ambassador Khalilzad, Ambassador Wolff, and DepPolCons later met on the U.S. draft with Russian PermRep Vitaly Churkin and Poloff Pavel Knyazev.

P-3: Lots of Planning But No Plan

13. (C) Ambassador Khalilzad opened the P-3 meeting on Kosovo by giving Jones Parry and de La Sabliere the new USG draft resolution, cautioning both that the draft had been presented to Russian PR Churkin as uncleared outside the USG and was intended solely to gauge Moscow's interest in intensifying ongoing USG-Russia discussions on Kosovo (ref A). Ambassador Khalilzad further made clear that he had put the Russians on

notice that, should they choose not to engage on the draft, Security Council discussion on Kosovo would revert to a focus on the draft resolution formally tabled by the French on May 11.

14. (C) Ambassador de La Sabliere said Paris interpreted the June 12 Quint political directors (PD) meeting in Paris as making a clear call for NY Quint missions to keep talking to the Russian mission about what he termed the "sunrise/Sarkozy ideas." He explained this concept as potentially yielding a "little more conservative" version of the new USG text that might contemplate six months of further Belgrade-Pristina negotiations, facilitated by SYG Special Envoy Martti Ahtisaari or another Quint nominee, followed by full implementation of the Ahtisaari proposal (i.e., automaticity). Referring to a French-language summary of the PD meeting, he viewed with evident favor a suggestion that the resolution drop automaticity in favor of the "disappearance" of resolution 1244 coupled with a nonpublic Quint agreement to recognize Kosovo after an unsuccessful negotiation period. He returned to this concept later in the meeting as offering an "intermediate option between automaticity and no automaticity, just a fading away of 1244."

15. (C) Pressed by Ambassador Khalilzad about French feelings about automaticity, de La Sabliere unhelpfully suggested that "Plan B should deal with automaticity by taking out automaticity" to which Khalilzad replied that of course the Russians would engage if we simply offered negotiations with no automaticity, but that was clearly unacceptable.

16. (C) Ambassador Jones Parry had concerns about both the U.S. text and the French ideas, arguing that "the problem (with both) is what we say and do after 120 days or six

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months." He complained that the "U.S. draft gives away the point because it doesn't call for full implementation of Ahtisaari after 120 days." To DepPolCouns point that our draft calls for automatic implementation of Ahtisaari's major provisions while respecting the Russian red line against some Ahtisaari provisions (such as those referring to citizenship), Jones Parry replied that "we may end up at that point" but needn't have conceded it at this stage as a tactical matter.

17. (SBU) Jones Parry and de La Sabliere agreed to solicit prompt replies from London and Paris to our draft.

Russia Bides Its Time

18. (C) In the later meeting with Ambassador Churkin, Ambassador Khalilzad said the Quint political directors had agreed that discussions in New York should continue even though the PD's had not reached consensus on next steps should those discussions fail to produce an agreement. He characterized our new draft as reflecting relatively minor changes from USG lawyers and suggested that the Khalilzad-Churkin dialogue could usefully enter a drafting phase in which we bracketed text on problem areas such as automaticity. He told Churkin that USUN's instruction is that we must have some variety of automaticity and suggested that Churkin reduce to writing what Moscow needs so that we began to produce the alternatives that could make getting to closure easier.

19. (C) Ambassador Churkin replied that the U.S.-Russia talks in New York have been useful as a clarifying process. In particular, Churkin thought that the red lines had been reduced to one: "You must have some kind of automaticity, and we can't accept any automaticity." In marked contrast to his earlier eagerness to continue USG-Russia talks he thought were close to fruition (reftel), however, Churkin projected Moscow indifference about continued engagement, saying "I have some comments back from Moscow (on the earlier USG

draft), but I'm told there is no point in discussing those with this big remaining area of problem." He said the June 13 USG draft "is worse on some points than your old draft; I will pass on the new draft and your desire to keep talking," but he was not sanguine about prospects for a breakthrough, saying "our idea is to have twelve months of negotiation and then the Security Council considers the whole thing -- no automatic 1244 departure, no automatic Ahtisaari."

¶10. (C) Asked by Ambassador Khalilzad what Moscow could allow to happen during the negotiation phase, Churkin replied "the EU could take over, but there could be no change in the status of Kosovo. For what it's worth, you can supervise the hell out of them, but we don't want to reach the supervised independence stage." When Churkin expressed appreciation for USG efforts in the new draft to respond to his earlier thoughts about a Security Council evaluation stage after negotiations, DepPolcouns asked whether we might continue to develop the evaluation criteria as a means of making post-evaluation steps more palatable. Churkin replied that "we still come out at your initial position. The thing is still automaticity. You can keep working on criteria, but we aren't getting across that red line."

¶11. (C) Ambassador Khalilzad closed the meeting by asking Churkin whether he was concerned that our failure to reach an agreement could trigger a unilateral declaration of independence followed by events heading out of control. Churkin replied that such concerns were "above my pay grade." He thought a moment and added, "Once Ahtisaari was the champion of Vance-Owen. That was a bad plan and we ended up at Dayton. Maybe we are seeing the same thing here. In that case, there was a lot of trouble in between -- I hope we don't have that here."

¶12. (C) COMMENT. This was a tough day in New York on the Kosovo account. The French made clear they favor a generous allowance of time for further negotiations and may be prepared to take automaticity off the table altogether. The British seem content to bicker over our initiative and tactics without proposing their own. The Russians, clearly on the ropes after the Security Council mission to Kosovo yielded a net gain in pro-independence members, have seemingly grown into the role of spoiler, doubtless comforted by readily apparent lack of EU plans, strategy, and conviction.
KHALILZAD